

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 04 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SIE ZHI CHANG,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 07-70719

Agency No. A98-442-184

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted August 8, 2008
Pasadena, California

Before: MINER,^{**} Senior Circuit Judge. WARDLAW and BERZON, Circuit
Judges.

Sie Zhi Chang, a Chinese national and Honduran citizen, appeals the Board
of Immigration Appeals's ("BIA") order affirming the Immigration Judge's ("IJ")
denial of Chang's application for asylum from and withholding of removal to

^{*} This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

^{**} The Honorable Roger J. Miner, Senior United States Circuit Judge for
the Second Circuit, sitting by designation.

Honduras and China. We have jurisdiction pursuant to 8 U.S.C. § 1252(a), and we affirm.

1. HONDURAS

To qualify for asylum and withholding of removal, the source of the applicant's alleged persecution must be the government or a group the government is unwilling or unable to control. *See Mashiri v. Ashcroft*, 383 F.3d 1112, 1122-23 (9th Cir. 2004); *Korablina v. INS*, 158 F.3d 1038, 1045 (9th Cir. 1998). The only evidence Chang provided that the Honduran government was unable or unwilling to control his persecutors, local Taiwanese officials, was his testimony that the Taiwanese government provided police cars and equipment to the Honduran police and the two organizations had "very cordial relations, just like brothers." This evidence does not compel the conclusion that the Honduran government was unwilling or unable to control Chang's persecutors. *See Korablina*, 158 F.3d at 1045.

2. CHINA

Pursuant to 8 U.S.C. § 1158(b)(2)(A)(vi), asylum may not be granted to an applicant who "was firmly resettled in another country prior to arriving in the United States." The IJ found that Chang's Honduran citizenship constituted firm resettlement in Honduras, thereby cutting off Chang's claim for asylum. Chang

did not exhaust his resettlement claim and is therefore barred by the doctrine of firm resettlement from asserting a claim for asylum.

Although firm resettlement is not a bar to withholding of removal, *see Siong v. INS*, 376 F.3d 1030, 1041 (9th Cir. 2004), we do not have jurisdiction to review Chang's petition for withholding of removal because he failed to exhaust it, *see Barron v. Ashcroft*, 358 F.3d 674, 677 (9th Cir. 2004).

PETITION DENIED.